

REMARKS

The Examiner has rejected Claims 1 and 2 as failing to comply with the written description requirement. Accordingly, amended Paragraph 11 of the Specification, is now amended to avoid that deficiency.

It will be apparent that the originally submitted Drawing and Description clearly implied that the vibratory drive motion for both the screed blade and perforated roller is imparted from vehicle 10 through boom 16. That is now expressly stated in the amended version of Paragraph 11. Reference is also made to the Somero Patent No. 4,655,633 of 1987, which disclosed a vehicle with a boom imparting vibratory motion to a screed blade.

The Examiner had also rejected Claims 1 and 2 as being unpatentable over the Erickson U.S. Patent 2, 915, 839. It should be noted that not only does Claim 1, line 3 thereof, refer to providing "a flat finish surface", but in lines 6, 7 and 8, the Claim also refers to "in order to assist in the settling and leveling of the surface portion of the concrete". In Claim 1, the wordage "surface portion of the concrete" means something other than "the flat finish surface".

Thus, as described in Paragraph 19 of the Specification, the perforated drum or roller 26 has sufficient weight to cause some portion of the soupy concrete mixture to pass through the holes or perforations 28, but the weight of the drum or roller is not so great as to depress pebbles below the concrete surface to an unnecessary degree. As stated in the culminating sentence of Paragraph 19, the pebbles are pushed far enough downwards within the concrete mix to avoid having them rise to and alter the finish surface.


ADDITIONAL COMMENTS

With the Amendment we are submitting formal drawings, a copy of the Somera et al patent, and a Declaration of Applicant regarding commercial success of the invention.

Applicant hereby requests an Extension of one month for response to the Examiner Report of 01/14/2004. Enclosed is our check for \$55 for the one month extension fee.

Favorable action is solicited.

Respectfully submitted,


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